



भारत का राजपत्र

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सं० 12]

नई दिल्ली, शनिवार, मार्च 18, 1972 (फाल्गुन 28, 1893)

No. 12]

NEW DELHI, SATURDAY, MARCH 18, 1972 (PHALGUNA 28, 1893)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
(Separate paging is given to this Part in order that it may be filed as a separate compilation)

भाग III—खण्ड 4

(PART III--SECTION 4)

विविध निकायों द्वारा जारी की गई विविध अधिसूचनाएं जिसमें अधिसूचनाएं, आदेश, विज्ञापन और सूचनाएं सम्मिलित हैं
(Miscellaneous Notifications including Notifications, Orders, Advertisements and Notices issued by Statutory Bodies)

अम और पुनर्वास मंत्रालय
(अम और रोजगार विभाग)

खान सुरक्षा महानिदेशालय

धनबाद, दिनांक 20 अक्टूबर 1971

सं० सामान्य/19558 छः—कोयला खान विनियमन, 1957 के विनियम 2(23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, गैसपूर्ण कोयला खानों/सीमों की सभी श्रेणियों में प्रयोग के लिए उपयुक्त "अनुज्ञात विस्फोटकों और अधिस्फोटकों की सूची में अधिस्फोटकों का निम्नलिखित प्रकार जोड़ा जाता है :—

37 मिलीमीटर शुद्ध तांबा बिद्युत अधिस्फोटक

पेश करने वाले : मैसर्स इंडियन डेटोनेटर्स लिमिटेड,
(कुकाटपाली),
डाक पेटी संख्या 1,
सानतनगर (आई०टी०) डाकघर,
हैदराबाद-18।

निर्माण करने वाले : मैसर्स इंडियन डेटोनेटर्स लिमिटेड,
(कुकाटपाली),
डाक पेटी संख्या 1,
सानतनगर (आई०टी०) डाकघर,
हैदराबाद-18।

उपकरण का नाम : 37 मिलीमीटर शुद्ध तांबा बिद्युत अधिस्फोटक।

अनुमोदन के साथ लगाई गई शर्तें :

- (1) अधिस्फोटकों पर सफेद सीसे लगे होंगे जिससे उन्हें अन्य निर्माताओं के अधिस्फोटकों से, बाह्य रूप से, पहचाना जा सके।
- (2) प्रत्येक बण्डल और पेटी पर वर्ग का ब्योरा और वर्ग के निर्माण की तारीख अंकित की जाएगी।
- (3) कर्मशाला में उत्पादन की गुणता पर लगातार निरीक्षण बनाए रखा जाएगा।

एस० एस० प्रसाद
खान सुरक्षा महानिदेशक

वस्त्र उद्योग समिति (विवेशी व्यापार मंत्रालय)

बम्बई, दिनांक 11 फरवरी 1972

वस्त्र-उद्योग समिति अधिनियम, 1963 ई० (1963 ई० क्र० 41) की धारा 4 की उप-धारा (2) के उप-खण्डों (ग), (घ) तथा (ङ) के साथ पठित धारा 23 के अधीन इसे प्रदत्त शक्तियों का प्रयोग करते हुये वस्त्र-उद्योग समिति, केन्द्र सरकार की पूर्व अनुमति से, भारत सरकार के राजपत्र में दिनांक 21 अगस्त, 1971 ई० को भाग-3, अनुभाग -4 पर प्रकाशित पॉलिस्टर-

कॉटन तथा पॉलिस्टर-विस्कोस ब्लेंडेड कपड़ा निरीक्षण विनियम, 1971 में अधिकतर संशोधन करने के लिए इसके द्वारा निम्न विनियम बनाती है, अर्थात् :—

1. (1) ये विनियम पॉलिस्टर-कॉटन तथा पॉलिस्टर-विस्कोस ब्लेंडेड कपड़ा निरीक्षण (संशोधन) विनियम, 1972 ई० कहलाएँ।

(2) ये शासकीय राजपत्र में उनके प्रकाशन के दिनांक को प्रवर्तमान होंगे।

2. पॉलिस्टर-कॉटन तथा पॉलिस्टर-विस्कोस ब्लेंडेड कपड़ा निरीक्षण विनियम, 1971 ई० के विनियम 4 के उप-विनियम (ख) में से “जहाँ संविदा मूक स्वरूप है” शब्दों से प्रारम्भ तथा “(आई० एस० रेटिंग्स)” शब्दों तथा कोष्ठकों से समाप्त होने वाले वाक्य को अपसर्जित किया जायेगा।

ए० एन० रामचन्द्रन,
सचिव

भारतीय खाद्य निगम

(संसद के एक अधिनियम के अंतर्गत स्थापित)

नई दिल्ली-1, दिनांक 28 फरवरी 1972

क्रमांक सी०पी० एफ०/2(3)-69—भारतीय खाद्य निगम (अंशदायी भविष्य निधि) विनियम-1967 के अन्तर्गत विनियम (5) में निहित प्रवाधान के अनुसार प्रबन्ध निदेशक निम्नलिखित विभागीय श्रमिकों के प्रतिनिधियों की निगम के अंशदायी भविष्य निधि के प्रबन्ध के लिए सहर्ष न्यासी नामित करते हैं।

(1) श्री निष्कृती नारायण हेतकार श्रम मुकदम भारतीय खाद्य निगम, जिला कार्यालय (भंडार) बम्बई-33।

(2) श्री के० पी० सेठी, सरदार, हेन्डलिंग लेबर भारतीय खाद्य निगम, कांतापुकुर डिपो कलकत्ता-23।

(3) श्री एस० के० मुरुगेशन, हेड मिस्त्री, भारतीय खाद्य निगम, संयुक्त प्रबन्धक (पी०ओ०) कार्यालय, मद्रास-1।

पी० एस० राजन,
वित्तीय सलाहकार

भारतीय औद्योगिक वित्त निगम

नई दिल्ली, दिनांक 22 फरवरी 1972

सं० 1/72—भारतीय औद्योगिक वित्त निगम सामान्य विनियमों के विनियमों 44 तथा 45 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुये, निगम के संचालक बोर्ड ने अपनी 28 जनवरी, 1972 की बैठक में अध्यक्ष, महाप्रबन्धक, उप-महाप्रबन्धक, सहायक महाप्रबन्धक तथा मुख्य कार्यालय में मुख्य

लेखापाल के अतिरिक्त निगम के शाखा कार्यालय के प्रभारी-प्रबन्धक को हस्ताक्षर करने की निम्नलिखित शक्तियों से अधिकृत किया है :—

“निगम के चालू तथा अधिकृत क कार्य निष्पादन हेतु निगम की ओर से सभी विधिक दस्तावेजों तथा समझौतों को बंधित करने के लिए आवश्यक प्रपत्रों का निष्पादन तथा उन पर हस्ताक्षर करना।”

चरन दास खन्ना,
अध्यक्ष

कर्मचारी राज्य बीमा निगम

नई दिल्ली, दिनांक 28 फरवरी 1972

सं० इस्स 1.22 (1)-2/72(2)—कर्मचारी राज्य बीमा (सामान्य) विनियम, 1950 के विनियम 5 के उपविनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये महानिदेशक ने यह निश्चय किया है कि निम्न अनुसूची में निर्दिष्ट क्षेत्रों में वर्ग ‘ए’, ‘बी’ तथा ‘सी’ के लिये प्रथम अंशदान एवं प्रथम लाभ अवधियां नियत दिवस 26 फरवरी, 1972 की मध्यरात्रि को बीमा योग्य रोजगार में लगे व्यक्तियों के लिये प्रारम्भ व समाप्त होंगी जैसा कि निम्न सूची में दिया गया है :—

प्रथम अंशदान अवधि			प्रथम लाभ अवधि	
वर्ग	जिस मध्य रात्रि को प्रारम्भ होती है	जिस मध्य रात्रि को समाप्त होती है	जिस मध्य रात्रि को प्रारम्भ होती है	जिस मध्य रात्रि को समाप्त होती है
ए	26-2-72	29-7-72	25-11-72	28-4-73
बी	26-2-72	30-9-72	25-11-72	30-6-73
सी	26-2-72	27-5-72	25-11-72	24-2-73

अनुसूची

- चन्द्रपुर तालुक तथा जिले में बल्लारपुर की नगरपालिका की सीमायें।
- चन्द्रपुर तालुक तथा जिले में बल्लारपुर की राजस्व निरीक्षण संख्यायें 28, 44, 45, 46, 47, 48 तथा 49
- महाराष्ट्र राज्य के चन्द्रपुर तालुक तथा जिले में विसापुर ग्राम की राजस्व निरीक्षण संख्यायें 305/एल०के०एच०, 309 तथा 310।

अंजनी र० सोपारकर
उप-बीमा आयुक्त

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour and Employment)

Directorate General of Mines Safety

Dhanbad, the 20th October 1971

No. Genl. 19558-G.—In exercise of the power conferred by Regulation 2(23) of the Coal Mines Regulations, 1957 the following type of detonators is added to the list of "Permitted Explosives and Detonators" suitable for use in all degrees of grassy coal mines/scams.

37 m.m. Pure Copper Electric Detonators

Submitted by	Messrs Indian Detonators Ltd., (Kukatpalli), Post Bag No. 1, Sanatnagar (IE) P.O., Hyderabad-18.
Manufactured by	Messrs Indian Detonators Ltd., (Kukatpalli), Post Bag No. 1, Sanatnagar (IE) P.O., Hyderabad-18.
Name of Apparatus	37 m.m. Pure Copper Electric Detonators.
Conditions attached to the approval	(1) The detonators shall have <i>white leads</i> to distinguish them externally from detonators of other manufacturers. (2) Batch particulars and date of manufacture of batch shall be marked on every package and case. (3) A continuing check on the quality of the product shall be maintained at the works.

G. S. PRASAD

Director-General of Mines Safety

DAMODAR VALLEY CORPORATION

Calcutta-27, the 21st January 1971

No. 20(8)/70-P.E.—In exercise of the powers conferred by section 60 of the Damodar Valley Corporation Act, 1948 (14 of 1948), the Corporation hereby makes, with the previous sanction of the Central Government, the following amendments to the Damodar Valley Corporation Service Regulations published with the Notification of the Damodar Valley Corporation No. 5 dated the 28th January, 1957, namely :—

1. (1) These regulations may be called the Damodar Valley Corporation Service (Twenty-first Amendment) Regulations, 1972.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Damodar Valley Corporation Service Regulations, in regulation 49, for the proviso, that is to say, "Provided that the allowance for incidental expenses shall be restricted to the daily allowance at the rates laid down in regulation 43 or at the rate of Rs. 3.00, whichever is more, for every twenty-four hours of the railway journey or part thereof.", to item (2) under the heading "A. BY RAIL", the following proviso shall be substituted, namely :—

"Provided that the allowance for incidental expenses shall be restricted to the daily allowance at the rates laid down for ordinary localities in regulation 43, for every twenty-four hours of the railway journey or part thereof."

P. V. KRISHNAMURTHY

Under Secretary to the Govt. of India

TEXTILES COMMITTEE

(Ministry of Foreign Trade)

Bombay, the 11th February 1972

In exercise of the powers conferred on it under section 23, read with sub-clauses (c), (d) and (e) of sub-section (2) of section 4, of the Textiles Committee

Act, 1963 (41 of 1963), the Textiles Committee with the previous sanction of the Central Government, hereby makes the following regulations further to amend the Polyester-Cotton and Polyester Viscose Blended Fabrics Inspection Regulations, 1971, published in Part III, Section 4 of the Gazette of India, dated the 21st August, 1971, namely :—

1. (1) These regulations may be called the Polyester-Cotton and Polyester-Viscose Blended Fabrics Inspection (Amendment) Regulations, 1972.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In sub-regulation (b) of regulation 4 of the Polyester-Cotton and Polyester-Viscose Blended Fabrics Inspection Regulations, 1971, the sentence beginning with the words "Where the contract is silent" and ending with the words and brackets "(I.S. Ratings)" shall be omitted.

A. N. RAMACHANDRAN

Secretary

MINISTRY OF HEALTH AND FAMILY PLANNING.

(Department of Family Planning)

New Delhi-11, the 25th February 1972

NOTICE

No. B-39/Estt.I.—In pursuance of sub-rule (1) of rule 5 of the Central Civil Services (Temporary Service) Rules, 1965, I hereby give notice to Miss Sudesh Bindra, Senior Coder, Department of Family Planning (Mass Mailing Unit), that her services shall stand terminated with effect from the date of expiry of a period of one month from the date on which this notice is published in Part III, Section 4 of the Gazette of India.

S. SRINIVASAN

Deputy Secretary to the Govt. of India

THE FOOD CORPORATION OF INDIA*(Establishment under an Act of Parliament)**New Delhi-1, the 28th February 1972*

No. CPF/1(3)/69.—In accordance with the provisions contained in Regulation (5) of the Food Corporation of India (C.P.F.) regulations, 1967, the Managing Director is pleased to nominate the following representatives of the departmental labour to be members of the Board of Trustees to administer the Corporation's Provident Fund for a period of two years.

- (1) Shri K. C. Sethi, Sardar, Handling labour, Food Corporation of India, Kantapukur Depot, Calcutta-23.
- (2) Shri Nivrutti Narayan Hatekar, Labour Mukadam, Food Corporation of India, District Office, (Godowns), Bombay-33.
- (3) Shri S. K. Murugesan, Head Maistry, Food Corporation of India, Office of the Joint Manager (P.O.), Madras-1.

P. S. RAJAN
Financial Adviser

INDUSTRIAL FINANCE CORPORATION OF INDIA*New Delhi, the 22nd February 1972*

No. 1/72.—In pursuance of Regulations 44 and 45 of the General Regulations of the Industrial Finance Corporation of India, the Board of Directors of the Corporation, at their meeting held on the 28th January 1972 have authorised the Manager-in-Charge of a Branch Office of the Corporation to exercise the following powers, in addition to the Chairman, the General Manager, the Dy. General Manager, the Assistant General Manager and the Chief Accountant at Head Office :

"To sign and execute on behalf of the Corporation all legal documents, instruments and agreements which are required to be executed for and on behalf of the Corporation in connection with the current and authorised business of the Corporation."

C. D. KHANNA
Chairman

EMPLOYEES' STATE INSURANCE CORPORATION*New Delhi, the 24th February 1972*

No. INS. I. 22(1)-2/72(2).—In exercise of the powers conferred by sub-regulation (1) of Regulation 5 of the Employee's State Insurance (General) Regulations, 1950, the Director General has determined that in the areas specified in the Schedule given below the first contribution and first benefit periods for Sets 'A', 'B' and 'C' shall begin and end in respect of persons in insurable employment on the appointed day of midnight of 26th February, 1972 as indicated in the table given below :—

Set	First Contribution period		First benefit period	
	Begins on midnight of	Ends on midnight of	Begins on midnight of	Ends on midnight of
A	26-2-1972	20-7-1972	25-11-1972	28-4-1973
B	26-2-1972	30-9-1972	25-11-1972	30-6-1973
C	26-2-1972	27-5-1972	25-11-1972	24-2-1973

SCHEDULE

1. The Municipal limits of Ballarpur in Taluk and District Chandrapur.
2. The Revenue Survey Nos. 28, 44, 45, 46, 47, 48 and 49 of Ballarpur in Taluka & District Chandrapur.
3. The Revenue Survey Nos. 305/LKH, 309 and 310 of village Visapur in Taluka and District Chandrapur in the State of Maharashtra."

A. R. SOPARKAR,
Deputy Insurance Commissioner.

New Delhi, the 1st March 1972

No. 12-(1)/26/70-Med. II.—In pursuance of the resolution passed by the Employees' State Insurance Corporation at its meeting held on 25th April, 1951, conferring upon me the powers of the Corporation under Regulation 105, of the Employees' State Insurance Corporation (General) Regulations, 1950, I hereby authorise the following Medical Officers to function as medical authorities with effect from 1-2-1972 with their respective jurisdiction as mentioned against each for the purposes of Medical examination of the insured persons and grant of further certificates to them when the correctness of the original certificate is in doubt :—

Designation of the Officer empowered as medical Authority	Area
1. The Superintendent, E.S.I. Hospital, Kalyani	Garifa
2. The Superintendent, E.S.I. Hospital, Kamarhati	Kamarhati
3. The Superintendent, E.S.I. Hospital, Sealdah	North Calcutta
4. The Superintendent, E.S.I. Hospital, Belur	Lillooah
5. The Superintendent, E.S.I. Hospital, Serampore	Tellnipara
6. The Superintendent, E.S.I. Hospital, Baltikuri	Dasnagar
7. The Superintendent, E.S.I. Hospital, Ulyberia	Bauria

T. C. PURI
Director General

OIL & NATURAL GAS COMMISSION

No 17(23)/69-Reg.—In exercise of the powers conferred by section 32 of the Oil and Natural Gas Commission Act, 1959 (43 of 1959), and all other powers enabling hereunto, the Commission hereby makes, with the previous approval of the Central Government, the following regulations, namely—

1. (1) These regulations may be called the Oil and Natural Gas Commission (Pay and Allowances) Regulations, 1972.

(2) They shall come into force on the date of their publication in the official Gazette.

Definitions :

2. In these regulations, unless the context otherwise requires—

(1) "Act" means the Oil and Natural Gas Commission Act, 1959 (43 of 1959);

(2) "Cadre" means the strength of a service or a part of a service sanctioned as a separate unit;

(3) "Commission" means the Oil and Natural Gas Commission constituted under the Act;

(4) "Allowance" means dearness allowance and other allowance(s) granted to meet personal expenditure necessitated by the special circumstances in which duty is performed and includes drilling allowance, Assam Compensatory allowance, city compensatory allowance, project allowance, travelling allowance, field establishment allowance, house rent allowance and such other allowances classified as such by the Commission, but does not include a sumptuary allowance nor the grant of free passage by sea to or from any place outside India;

(5) "competent authority" in relation to the exercise of a power, means the Commission and includes any officer or authority to whom the power is delegated by the Commission under section 26 of the ONGC Act.

(6) "duty" includes

(i) service as a probationer or apprentice, provided that such service is followed by confirmation,

(ii) joining time,

(iii) period of training, or

(iv) such other period declared as duty period by the Commission by general or special orders;

(7) "employee" means a person who holds a post under the Commission and includes any such person whose services are temporarily placed at the disposal of the State or Central Government or any Government, Industrial Undertaking, but does not include such persons as are governed by the standing orders framed in accordance with the Industrial Employment (Standing Orders) Act, 1946.

(8) "fee" means a recurring or non-recurring payment to an employee from a source other than the funds of the Commission, whether made directly to the employee or indirectly through the intermediary of the Commission, but does not include—

(a) unearned income such as income from property, dividends and interest on securities; and

(b) income from literary, cultural or artistic efforts, if such efforts are not aided by knowledge acquired by the employee the course of the service of in the Commission.

(9) "foreign service" means service in which an employee receives his pay, with the sanction of the Commission, from any source other than the funds of the Commission;

(10) "Government" means the Central Government;

(11) "honorarium" means a recurring or non-recurring payment granted to an employee from the funds of the Commission as remuneration for special work of an occasional or intermittent character;

(12) "Joining time" means the time allowed to an employee to join a new post or to travel to or from a station to which he is posted;

(13) "lien" means the title of an employee to hold substantively, either immediately or on termination of a period or periods of absence, a permanent post including a tenure post to which he has been appointed substantively;

(14) "month" means a calendar month. In calculating a period expressed in terms of months, and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently;

(15) "officiate". An employee officiates in a post when he performs the duties of a post on which another employee holds a lien. The Commission may appoint an employee to officiate in a vacant post on which no other employee holds a lien;

(16) "pay" means the amount drawn monthly by an employee as—

(a) the pay of the post held by an employee (other than special pay or pay granted in view of his personal qualification) or pay to which he is entitled by virtue of his position in a cadre; and

(b) special pay and personal pay; and

(c) any other emoluments which may be specially classed as pay by the Commission;

(17) "Permanent post" means a post carrying a definite rate of pay and sanctioned without limit of time;

(18) "personal pay" means additional pay granted to an employee—

(i) to save him from the loss of substantive pay in respect of permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or

(ii) in exceptional circumstances, on other personal considerations;

(19) "presumptive pay", when used with reference to any particular employee, means the pay to which he would be entitled if he held the post substantively and were performing its duties; but it does not include special pay, unless an employee performs or discharges the work or responsibility or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned;

- (20) "special pay" means an addition, of the nature of pay, to the emoluments of a post or of an employee, granted in consideration of—
- (a) the specially arduous nature of duties; or
 - (b) a specific addition to the work or responsibility; or
 - (c) the unhealthiness of the locality in which the work is performed and includes non-practising allowance granted to doctors in lieu of private practice;
- (21) "subsistence grant" means a monthly grant made to an employee who is not in receipt of pay or leave salary;
- (22) "substantive pay" means the pay other than special pay, personal pay or emoluments classed as pay by the Commission under sub-clause (c) of clause (16) to which an employee is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre;
- (23) "temporary post" means a post carrying a definite rate of pay sanctioned for a limited time;
- (24) "tenure post" means a permanent post which an individual employee may not hold for more than a limited period;

NOTE :—In case of doubt, the Commission may decide whether a particular post is or is not a tenure post.

- (25) (a) "time-scale of pay" means pay which subject to any conditions prescribed in these Regulations, rises by periodical increment from a minimum to a maximum;
- (b) "identical time-scale of pay"—Time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time-scales are identical.
- (c) Two time-scales should be treated as identical within the meaning of (a) above even though the scales may differ in the matter of provisions of Efficiency Bars.
- (d) "Same Time-Scale"—A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post.

Scale of pay :

3. (1) The scale of pay of various posts in the Commission shall be such as may be laid down by the Commission from time to time, except in the case of posts the maximum pay of which exceeds Rs. 2250/- when it shall be as laid down, by the Government.

(2) The scales of pay of various posts in the Commission, the maximum pay of which does not exceed Rs. 2250/-, are shown in the schedule of Annexure—J.

Drawal of Pay :

4. Unless otherwise provided, an employee shall draw pay and allowances attached to his post from the date he assumes the duties and shall cease to draw them as soon as he ceases to discharge the duties.

Provided that if he assumes the duties at the place specified in the afternoon of the date, he shall commence drawing pay and allowances of that post from the following day.

Pay of Temporary Posts :

5. (1) When a temporary post is created which may have to be filled by a person not already in the service of the Commission, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

(2) When a temporary post is created which will probably be filled by a person who is already an employee of the Commission, its pay should be fixed by the Commission with due regard to—

- (a) the character and responsibility of the work to be performed; and
- (b) the existing pay of the employees of a status sufficient to warrant their selection for the post.

Fixation of Initial Pay of an Employee not Holding a Lien :

6. Subject to the provisions of regulation 7, the initial pay of an employee (other than those who hold lien on any permanent post, or would hold a lien if the same were not suspended) shall ordinarily be fixed at the minimum of the time-scale of the post in which he is employed. The fixation of pay in excess of the minimum of the time-scale and the grant of premature increments shall require the sanction of the Commission.

Fixation of Initial Pay of an Employee Holding a Lien :

7. The initial pay of an employee, holding a lien on a post under the Commission, who is appointed to another post, will be regulated as follows :—

- (i) When appointment to the new post involves the assumption of duties or responsibilities of greater importance than those attached to the post on which he holds a lien, he will draw, as initial pay, the stage of time-scale next above his substantive pay in respect of the old post.
- (ii) When appointment to the new post does not involve such assumption, he will draw, as initial pay, the stage of the time-scale which is equal to the substantive pay in respect of the old post or, if there is no such stage, the stage next below that pay, plus personal pay equal to the difference, and, in either case, will continue to draw that pay until such time as he would have received an increment in the time-scale of the old post or for the period after which an increment is earned in the time-scale of the new post, whichever is less. But if the minimum pay of the time scale of the new post is higher than his substantive pay in respect of his old post, he will draw that minimum pay as initial pay.
- (iii) When appointment to the new post is made on his own request and the maximum pay in the time scale of the new post is less than his substantive pay, in respect of the old post, he will draw that maximum as initial pay.
- (iv) In case, the transfer is as a measure of penalty, from a higher to a lower grade or post, he may be allowed to draw any pay not exceeding the maximum of the new grade or post provided that the pay allowed to be drawn under this clause shall not exceed the pay which he would have drawn by operation of regulation

10 or clause (ii) read with clauses (b) to (e) of regulation 13.

- (v) The officiating pay of an employee shall be refixed under clause (i) or (ii) as the case may be, if at any time his substantive pay on the post on which he holds a lien or would have held a lien had it not been suspended, equals to or exceeds the officiating pay, where such refixation is to his advantage; provided that the provisions of clause (vii) shall not be applicable in the matter of refixation of pay under this clause.

NOTE :—Where the increment of an employee in the post in which he is officiating has been withheld without any reference to the increments that will accrue to him in the post held by him substantively, the provisions of this regulation shall not apply before the date from which the orders withholding the increments finally cease to be operative. However, the employee may be allowed during the period of penalty of withholding of increment, his substantive pay from time to time if the same happens to be more than the officiating pay. These provisions shall also apply in respect of an employee whose pay in the post held by him in an officiating capacity has been withheld at a particular stage or the efficiency bar stage of the time scale of that post for failure to pass the departmental examinations.

- (vi) When an employee officiates in a post the pay of which has been fixed at a rate personal to another employee, the Commission may permit him to draw pay at the rate not exceeding the rate so fixed or if the rate so fixed, be a time-scale, may grant him initial pay not exceeding the lowest stage of that time scale and future increments not exceeding those of the sanctioned scale.

Explanation :—

The Commission, or any authority to whom powers in this regard may be delegated, may fix the pay of an officiating employee at an amount less than that admissible under this regulation.

- (vii) Notwithstanding anything contained in this regulation, where an employee holding a post in a substantive, temporary or officiating capacity in any of the posts, the maximum pay of which does not exceed Rs. 800/-, is promoted or appointed in a substantive, temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, his initial pay in the time-scale of the higher post shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the lower post by one increment at the stage at which such pay has accrued.

Provided that the provisions of this clause shall not apply where an employee holding a post in a substantive, temporary or officiating capacity in any of the posts the maximum pay of which exceeds Rupees 800/- is promoted or appointed in a substantive, temporary or officiating capacity to a higher post.

Provided further that the provision of sub-regulation (v) shall not be applicable in any case where the initial pay is fixed under this clause,

Provided further that where an employee is, immediately before his promotion or appointment to higher post, drawing pay at the maximum of the time-scale of the lower post, his initial pay in the time-scale of the higher post shall be fixed at the stage in that time-scale next above such maximum in the lower post.

- (viii) An employee appointed to officiate in a post and whose case does not fall under clause (i) to (vii) shall draw the presumptive pay of that post.
- (ix) No orders of crossing the Efficiency Bar in the lower scale are necessary for the purpose of fixing the pay in the higher post.

Provided that in cases covered by regulation 6 and clauses (i) to (iii) and in cases other than cases of re-employment after resignation or removal or dismissal if an employee—

- (i) has either previously held substantively or officiated in—
- (a) the same post; or
 - (b) a permanent or temporary post on the same time-scale; or
 - (c) a permanent post other than a tenure post or a temporary post including a post in a body, incorporated or not, which is wholly or substantially owned or controlled by the Government on an identical time-scale; or
- (ii) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated; then the initial pay shall not be less than the pay, other than special pay, personal pay or emoluments classed as pay, which he drew of the last such occasion, and he shall count that period during which he drew that pay on such last or any previous occasions for increment in the stage of time scale equivalent to that pay. If, however, the pay last drawn by the employee in a temporary post had been inflated by the grant of premature increments the pay which he would have drawn but for the grant of those increments shall, unless ordered otherwise by the Commission in a particular case, be taken for the purpose of this proviso, to be the pay which he last drew in the temporary post.

Fixation of Pay in Certain Cases of Appointment :

8. The Commission may appoint an employee to hold substantively, as a temporary measure, or to officiate in, two or more independent posts at one time and in such cases his pay is regulated as follows—

- (a) the highest pay, to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post;
- (b) for each other post, he draws such reasonable pay, in no case exceeding half the presumptive pay (excluding overseas pay) of the post, as the Commission may fix; and
- (c) if compensatory or sumptuary allowances are attached to one or more of the posts, he draws such compensatory or sumptuary allowances as the Commission may fix, provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts.

NOTE :—For the purpose of this regulation, appointment to two posts in the same office or establish-

ment which are in the same line of promotions or cadre cannot be treated as independent posts.

Personal Pay :

9. Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amounts by which the recipient's pay may be increased, and shall cease as soon as his pay is increased by an amount equal to his personal pay.

Fixation of Pay of Pensioners :

10. The following procedure shall be adopted in fixing the pay of pensioners including officers pensioned off or retired on contributory provident fund and from service of the State Governments, local bodies, port trusts or such other bodies administered by Government or a body, whether incorporated or not, which is wholly or substantially owned or controlled by the Government—

- (a) Re-employed pensioners shall be allowed only the scales of pay laid down by the Commission by regulations.
- (b) In the case of persons retiring before attaining the age of 55 years, the pension as shown below shall be ignored in fixing their pay on re-employment—
 - (i) in the case of pension not exceeding Rs. 50/- per mensem, the actual pension;
 - (ii) in other cases, the first Rs. 50/- of the pension.
- (c) The initial pay, on re-employment shall be fixed at the minimum stage of the scale prescribed for the posts in which an individual is re-employed. In case where it is felt that the fixation of initial pay at the minimum of the prescribed scale will cause undue hardship, the pay may be fixed at higher stage by allowing one increment for each year of service which the employee has rendered before retirement in a post not lower than that in which he is re-employed. In addition to the above, the employee may be permitted to draw separately any pension sanctioned to him and to retain any other form of retirement benefit for which he is eligible, provided that the total amount of initial pay plus gross amount of pension or the pension equivalent of other forms of retirement benefits save as provided in clause (b) does not exceed—
 - (i) the pay he drew before his retirement; or
 - (ii) Rs. 3000/- whichever is less

NOTE :—In all cases where either of these limits is exceeded, the pension and other retirement benefits may be paid in full and the necessary adjustments made in the pay so as to ensure that the total of pay and pensionary benefits is within the specified limits. The power to fix the pay at a stage above the minimum of the scale will be exercised by the authority to whom powers for granting the necessary advance increments have been delegated by the Commission. Where, after the pay is fixed at the minimum or any higher stage, it is reduced below the minimum as a result of the said adjustments, increase in pay may be allowed after each year of service at the rate of increment admissible, as if the pay had been fixed at the minimum or the higher stage as the case may be. Pay last drawn before retirement will be taken to be the substantive pay plus special pay, if any. Pay drawn in

an officiating appointment may be taken into account if it were drawn continuously for at least one year before retirement. In the case of a Government servant on deputation or on foreign service being re-employed with the Commission after retirement from Government service, the pay last drawn in the Commission may be taken into consideration, if it were drawn continuously for at least one year.

- (d) In the case of posts for which personnel with requisite qualifications and experience are not available, the restriction, that initial pay on re-employment plus pension shall not exceed the last pay drawn, may be relaxed as follows—
 - (i) Initial pay on re-employment plus gross pension or pension equivalent of other retirement benefits shall not exceed the pay last drawn before retirement by more than Rs. 250/-.
 - (ii) The total of initial pay on re-employment as fixed under para (b) plus gross pension or pension equivalent of other retirement benefits shall not exceed Rs. 3000/-.

Explanation :

The concession referred to in (i) and (ii), will be admissible only where the employee has retired on superannuation pension.

- (c) In cases where the minimum pay of the post in which the employee is re-employed is more than the last pay drawn, the employee concerned may be allowed the minimum of the prescribed scale of the post, less pension and pension equivalent of other forms of retirement benefits.
- (f) Where the restriction, that pay on re-employment plus gross pension equivalent of other retirement benefits shall not exceed last pay drawn, has to be relaxed in circumstances other than those mentioned in clauses (d) and (e), the approval of the Commission shall be obtained in each individual case.
- (g) Once the initial pay of a re-employed person has been fixed in the manner indicated above, he may be allowed to draw normal increments in the time-scale of the post to which he is appointed, provided that the pay and gross pension or pension equivalent of other retirement benefits taken together shall not exceed Rs. 3000/- per month.
- (h) A re-employed pensioner, who is transferred or promoted to another post, shall be treated as freshly re-employed in that post and his pay shall be fixed under the orders subsisting on the date of such transfer or promotion.

Drawal of Increments :

11. (1) An increment shall ordinarily be drawn as a matter of course, unless it is withheld. Increment may be withheld if the conduct of an employee has not been good or his work has not been satisfactory. In ordering the withholding of increment, the withholding authority shall state the period for which it is withheld and whether the postponement shall have the effect of postponing future increments. Such orders will be issued after following the provisions of the Oil and Natural Gas Commission (Conduct, Discipline and Appeal) Regulations, 1964.

(2) Premature increments may be granted to employees by such authorities who have got power to create a post in the same cadre on the same scale of pay. The

Commission, or any authority under it, may grant advance increment or increments to any employee of the Commission for meritorious work, to the extent and under conditions prescribed by the Commission from time to time.

Crossing of Efficiency Bar :

12. Where an efficiency bar is prescribed in a time-scale; the increment next above the bar shall not be given to an employee without the specific sanction of the appointing authority or any other authority, whom the Commission may by general or special orders authorise in this behalf.

Note 1.—On each occasion on which an employee is allowed to cross efficiency bar, which had previously been enforced against him, he should come on to the time-scale at such stage as the authority competent to declare the bar removed may fix for him, subject to the pay admissible according to his length of service.

Note 2.—The cases of all employees held up at an efficiency bar should be reviewed annually with a view to determining whether the quality of their work has improved, and generally whether the defects for which they were stopped at the bar have been remedied, to an extent sufficient to warrant the removal of the bar.

Counting of Service for Increment :

13. The following provisions prescribe the conditions on which service counts for increments in a time-scale :—

- (a) All duty in a post on a time-scale counts for increments in that time-scale.
- (b) Service in another post, other than a post carrying less pay, whether in a substantive or officiating capacity, service on deputation, and leave except extra-ordinary leave taken otherwise than on medical certificate, shall count for increment in the time-scale applicable to the post on which the employee holds a lien, or would hold a lien on such post had his lien not been suspended.
- (c) All leave except extra-ordinary leave taken otherwise than on medical certificate and the period of deputation shall count for increment in the time-scale applicable to a post in which the employee was officiating at the time he proceeded on leave or deputation and would have continued to officiate but for his proceeding on leave or deputation :

Provided that the Commission may, in any case, in which it is satisfied that the extra-ordinary leave was taken for any cause beyond the employee's control, or for prosecuting higher scientific and technical studies, direct, that extra-ordinary leave shall be counted for increments under clause (b) or (c).

- (d) If an employee on reversion from an ex-cadre post to the parent cadre is appointed to a post on a scale lower than that of the ex-cadre post but not on the same time-scale as the post held at the time of his transfer to the ex-cadre post, the service rendered on the higher scale in the ex-cadre post shall count for increments in the time-scale applicable to the cadre post, subject to the same conditions as are laid down for cases falling under item (i) of proviso to clause (ix) of regulation 7.
- (e) Foreign service counts for increments in the time-scale applicable to—
 - (i) the post in Commission's service on which the employee concerned holds a lien as well as the post or posts, if any on which he

would hold a lien had his lien not been suspended.

- (ii) the post in Commission's service in which the employee was officiating immediately before his transfer to foreign service, for so long as he would have continued to officiate in that post or a post on the same time-scale but for his going on foreign service.
- (iii) any post to which he may receive officiating promotion in the Commission, during the period of foreign service, for the duration of such promotion.
- (f) (i) If an employee, while officiating in a post or holding a temporary post on a time-scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is re-appointed to the lower, or is appointed or re-appointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to such lower post. The period of officiating service in the higher post which counts for increment in the lower post is, however, restricted to the period during which the employee would have officiated in the lower post but for his appointment to the higher post.
- (ii) Sub-para (i) shall also apply to an employee who is not actually officiating in the lower post, but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.
- (g) Joining time counts for increment—
 - (i) if it is under clause (a) or (c) of sub-regulation (1) of regulation 19, in the time-scale applicable to the post on which the employee holds a lien or would hold a lien, had his lien not been suspended, as well as in the time-scale applicable to the post, the pay of which is received by the employee during the period; and
 - (ii) if it is under clause (b) of sub-regulation (1) of regulation 19, in the time-scale applicable to the post or posts on which the last date of leave before commencement of the joining time counts for increment.

Explanation 1 :

For the purposes of this regulation, the period treated as duty shall be deemed to be duty in a post if the employee draws pay of that post during such period.

Explanation 2 :

The period of joining time under clause (c) of sub-regulation (3) of regulation 19 during which an employee on transfer is not entitled to be paid shall be treated as dies non for purposes of leave and increment.

Explanation 3 :

A period of over-stay of leave does not count for increment in a time-scale of post unless it is commuted into ordinary leave by the competent authority under the provisions of the Oil and Natural Gas Commission Leave Regulations, 1968, and under the proviso to clause (c), the period of extraordinary leave is specially allowed to count for increments.

The Commission may, by general or special orders, provide that service in any post shall count for increments in another post to which the employee may be appointed,

subject to such conditions as may be specified.

Period under Suspension :

14. An employee under suspension shall be entitled to the following payments namely—

- (a) A subsistence grant at an amount equal to the leave salary to which the employee would have drawn if he had been on leave on half-pay and in addition, dearness allowance, if admissible on the basis of such leave salary :

Provided that where the period of suspension exceeds twelve months, the authority which made or is deemed to have made the order of suspension shall be competent to vary the amount of subsistence grant for any period subsequent to the period of the first twelve months, as follows :

- (i) The amount of subsistence grant may be increased by a suitable amount, not exceeding 50 per cent of the subsistence grant admissible during the period of first twelve months, if, in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the employee;
 - (ii) The amount of subsistence grant may be reduced by a suitable amount, not exceeding 50 per cent of the subsistence grant admissible during the period of the first twelve months, if in the opinion of the said authority, the period of suspension has been prolonged due to reasons, to be recorded in writing, directly attributable to the employee;
 - (iii) The rate of dearness allowance will be based on the increased or, as the case may be, the decreased amount of subsistence grant admissible under sub-clause (i) and (ii).
- (b) Any compensatory allowance admissible from time to time on the basis of pay, of which the employee was in receipt on the date of suspension :

Provided that the employee shall be entitled to the compensatory allowance subject to the fulfilment of other conditions laid down for drawal of such allowances.

- (2) No payment under sub-regulation (1) shall be made unless the employee furnishes a certificate that he is not engaged in any other employment, business, profession or vocation :

Provided that in the case of an employee dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement, under sub-regulation (3) or sub-regulation (4) of Regulation 24 of the Oil and Natural Gas Commission (Conduct, Discipline and Appeal) Regulations, 1964 and who fails to produce such a certificate for any period or periods during which he is deemed to be placed or to continue to be under suspension, he shall be entitled to the subsistence grant and other allowances equal to the amount by which his earnings during such period or periods as the case may be, fall short of the amount of subsistence grant and other allowances that would otherwise be admissible to him. Where the subsistence grant and other allowances admissible to him are equal to or less than the amount earned by him, nothing in this proviso shall apply to him.

- (3) (a) When an employee, who had been dismissed, removed, compulsorily retired or suspended, is reinstated or would have been reinstated but for his retirement on superannuation while under suspension, the authority competent to order the reinstatement shall consider and make a specific order—

(i) regarding the pay and allowances to be paid to the employee for the period of his absence from duty or for the period of suspension ending with the date of his retirement on superannuation, as the case may be, and

(ii) whether or not the said period shall be treated as a period spent on duty.

- (b) Where the authority mentioned in clause (a) above is of the opinion that the employee has been fully exonerated or, in the case of suspension, that it was wholly unjustified, the employee shall be given the full pay and allowances to which he would have been entitled had he not been dismissed, removed, compulsorily retired or suspended, as the case may be.

- (c) In other cases, the employee shall be given such proportion of such pay and allowances as such competent authority may specify in this behalf :

Provided that the payment of allowance under clause (b) or clause (c) shall be subject to all other conditions under which such allowances are admissible :

Provided further that such proportion of such pay and allowances shall not be less than the subsistence grant admissible under these regulations.

- (d) In a case falling under clause (b), the period of absence from duty shall be treated as a period spent on duty for all purposes.

- (e) In a case falling under clause (c), the period of absence from duty shall not be treated as a period spent on duty, unless such competent authority specifically directs that it shall be so treated for any specified purpose :

Provided that if the employee so desires, such authority may direct that the period of absence from duty shall be converted into leave of any kind due and admissible to the employee.

Note 1.—The order of the competent authority regarding the treatment of the period of absence from duty passed under this proviso is absolute and no higher sanction would be necessary for the grant of extraordinary leave in excess of three months in so far as temporary employees are concerned.

Note 2.—In the case of persons who are not fully exonerated, the conversion of the period of suspension into leave with or without allowances has the effect of removing the stigma of suspension and all the adverse consequences following therefrom. The moment the period of suspension is converted into leave, it has the effect of vacating the order of suspension and it will be deemed not to have been passed at all. Therefore, if it were found that the total amount of subsistence grant and compensatory allowances that an employee received during the period of suspension exceeds the amount of leave salary and allowances, the excess will have to be refunded and there is no escape from this conclusion.

Note 3.—The competent authority has the discretion to pay proportionate pay and allowances and treat the period as duty for any specified purpose(s) or only to

pay proportionate pay and allowances. It has no discretion to pay full pay and allowances when the period is treated as 'non-duty'.

If no order is passed under clause (e) of sub-regulation (3) directing that the period of absence be treated as duty for any specified purpose, the period of absence should be treated as 'non-duty'. In such event the past service, that is to say, service rendered before dismissal, removal, compulsory retirement or suspension will not be forfeited.

Change in Pay :

15. (1) The holder of a post, the pay of which is changed, shall be treated as if he were transferred to a new post on the new pay :

Provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment or ceases to draw pay on that time-scale. The option once exercised shall be final.

Note 1.—The expression his "old pay" shall include not only the rate at which the individual was drawing his officiating pay on the crucial date but also the time-scale on which he was drawing that pay.

Note 2.—For the period during which the option exercised under proviso to this regulation operates, the substantive portion of this regulation will be inoperative.

Note 3.—Failure to exercise the option, from whatever cause arising, entails forfeiture of this benefit of the regulation.

Note 4.—The expression the "holder of the post" occurring in this regulation also includes a person who is not actually holding the post the pay of which is changed; provided he has a lien or a suspended lien on that post.

(2) Employees, who have been placed under suspension and where the scale of pay of the posts to which they are attracted is revised, will be regulated as follows:—

(i) Cases in which the revised scale of pay takes effect from a date prior to the date of suspension:— In such cases the employee should be allowed to exercise the option under sub-regulation (1) even if the period during which he is to exercise the option falls within the period of suspension. He will be entitled to the benefit of increase in pay, if any, in respect of the duty period before suspension, and also in the subsistence grant for the period of suspension, as a result of such option.

(ii) Cases in which the revised scale of pay takes effect from a date falling within the period of suspension :

(a) An employee under suspension retains a lien on his substantive post. As the expression 'holder of a post' occurring in sub-regulation (1) includes also a person who holds a lien or a suspended lien on the post even though he may not be actually holding the post, such an employee should be allowed the option under sub-regulation (1) even while under suspension. The benefit of option will, however, practically accrue to him in respect of the period of suspension only after his reinstatement, depending on the fact whether the period of suspension is treated as duty or not.

(3) An employee who does not retain a lien on post, the pay of which is changed, is not entitled to exercise the option under sub-regulation (1). If, however, he were reinstated in the post and the period of suspension

is treated as duty, he may be allowed to exercise the option after such reinstatement. In such cases, if there is a time-limit prescribed for exercising the option and such period had already expired during the period of suspension, a relaxation may be made in each individual case for extending the period during which the option may be exercised.

(4) The expression "post" includes "temporary" post.

(5) (i) If an employee is reduced as a measure of penalty to a lower stage in his time-scale, the authority ordering such reduction shall state the specific period for which it shall be effective and whether, on restoration, the period of reduction shall operate to postpone future increments; if so, to what extent.

(ii) If an employee is reduced as a measure of penalty to a lower service, grade or post, or to a lower time-scale, the authority ordering the reduction may or may not specify the period for which the reduction shall be effective, but where the period is specified, the authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.

Explanation 1.—(i) If the order of reduction lays down that the period shall not operate to postpone future increments, the employee shall be allowed the pay which he would have drawn in the normal course but for his reduction to the lower post. If the pay drawn by him immediately before reduction was below the efficiency bar, he shall not be allowed to cross the bar except in accordance with provisions of regulation 11.

(ii) If the order lays down that the period of reduction shall operate to postpone his future increments, for any specified period which shall not exceed the period of reduction to the lower post or grade, the pay of an employee on restoration shall be fixed in accordance with (i) but after treating the period for which increments are to be postponed as not counting for increments.

Explanation 2.—If the object of not allowing increments during the period of the reduction is to be achieved, it should be ensured that every order passed by a competent authority imposing on an employee the penalty of reduction to a lower stage in a time-scale invariably specifies that stage in terms of rupees to which the employee is reduced, as in the following form:—

The _____ has decided that Shri _____ should be reduced to a pay of Rs. _____ for a period of _____ with effect from _____.

Explanation 3.—In case the reduction to the lower post or grade is for an indefinite and unspecified period, on re-appointment to the higher post, pay shall be regulated under normal regulations and not under this regulation.

(6) Where an order of penalty of withholding of increment of an employee or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage, in a time-scale is set aside or modified by a competent authority on appeal or review, the pay of the employee shall, notwithstanding anything contained in these regulations, be regulated in the following manner:—

(i) If the said order is set aside, he shall be given, for the period that such order has been in force, the difference between the pay to which he would have been entitled, had that order not been made, and the pay he had actually drawn;

- (ii) If the said order is modified, the pay shall be regulated as if the order so modified had been made in the first instance.

Explanation.—If the pay drawn by an employee in respect of any period prior to the issue of orders of the competent authority under this regulation is revised, the leave salary and allowances (other than travelling allowance) if any, admissible to him during the period shall be revised on the basis of the revised pay.

Note 1.—It is clarified that in respect of cases falling under clause (i) of this sub-regulation, service rendered by the employee in the lower service, grade or post, or lower time-scale, or lower stage in the time-scale, or at the stage the increment was withheld from the date of imposition of such penalty by the disciplinary authority, to the date on which the order of penalty is set aside by the competent appellate or reviewing authority, shall count for increment or for other purposes in the post, which he was holding immediately before the imposition of the penalty, provided that he would have continued to hold that post but for the order of penalty.

Note 2.—In respect of cases falling under clause (ii) of this sub-regulation, such service from the date of imposition of the penalty by the disciplinary authority to the date on which the order is modified by the appellate or reviewing authority, shall count for the purpose of increment or for other purposes, in the post which he was holding immediately before the imposition of the penalty or any other post which he would have held but for the order of penalty, to the extent the modified order permits of such counting.

Taking of Premiums, Rewards, etc. :

16. An employee is eligible to receive and, except as otherwise provided by a general or special order of the Commission, to retain without special permission—

- (a) the premium awarded for any essay or plan in public competitions;
- (b) any reward offered for the arrest of a criminal, or for information or special service in connection with the administration of justice;
- (c) any reward payable in accordance with the provisions of any Act or Regulation or Rules framed thereunder;
- (d) any reward sanctioned for services in connection with the administration of the Customs and Excise laws; and
- (e) any fees payable to an employee for duties which he is required to perform in his official capacity under any special or local law or by order of the Commission.

Taking out Patents :

17. (1) An employee whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, cause or permit any other person to apply for or obtain, a patent for an invention made by such employees save with the permission of the Commission and in accordance with such conditions as the Commission may impose.

(2) If a question arises whether an employee is an employee of the Commission to whom sub-regulation (1) applies, the decision of the Commission will be final.

(3) An employee whose duties involve carrying out of scientific or technical research (*i.e.*, inventor) shall not disclose his inventions to any person otherwise than as provided below, or apply for or obtain a patent or cause or permit any other person to apply for or obtain a patent for his invention, save with the permission of the Commission or such authority to whom powers in

this regard may be delegated. Until a decision about the grant of permission is taken, the inventor shall hold his invention in trust for the Commission.

- (a) Every inventor who evolves an invention shall promptly disclose it to the head of Directorate where he is working and an inventor, if he desires to take out a patent, shall, as soon as after he has evolved his invention, apply for permission to the Member in-charge, in quadruplicate, in the prescribed form accompanied by the provisional specifications in quadruplicate :

Provided that if any inventor considers it necessary to obtain early protection for safeguarding his interest as well as those of Commission, he may apply for a grant of a patent with provisional specification at his own cost and risk. While doing so, however, the inventor can take immediate steps to forward copies of the provisional specification to the Member in-charge, recording at the same time why it has been necessary for him to take such action.

- (b) The Member in-charge may grant an interim permission to make an application for patent to the patent office accompanied by provisional specifications, unless he has reasons to withhold the same.
- (c) If an inventor has already made an application for patent under the provision to clause (a) of sub-regulation 3, the Member in-charge may, for reasons to be recorded in writing, direct the inventor to abandon his application for patent, after which, the inventor shall not take any further steps in prosecuting the said application :

Provided that when the Member in-charge is the inventor, such application for patent to the patent office shall be filed only with the previous permission of the Commission and Government.

- (d) On receipt of the applications for permission from the Member in-charge, the Commission shall decide whether a permission for taking out a patent should be granted to the inventor. If the Member in-charge has withheld permission or has directed the inventor to abandon his application for patent, the Commission, after due consideration of the reasons therefor, think it fit to grant the permission, it may give an interim permission to the inventor to file an application with a provisional specification or to proceed with the application for patent already made, and return to him a copy of his application for permission alongwith a copy of the provisional specification.
- (e) The Member in-charge shall retain one copy of the application for permission and one copy of the provisional specifications, return one copy each thereof to the inventor with his permission, and forward the remaining two copies each of the application for permission and provisional specifications to the Commission, provided that if he had withheld permission or has directed the inventor to abandon his application for patent, he need not return any copy to the inventor.
- (f) While forwarding the application for permission to the Commission, the Member in-charge shall give his remarks on the following points :—

- (i) The connection if any, between the invention and inventor's official duties;

- (ii) The extent to which the inventor has used the facilities provided at Commission's expenses;
 - (iii) Whether the results are of such a nature that they should be published instead of being patented;
 - (iv) Patenting the invention in foreign countries;
 - (v) The estimated needs of the Directorate concerned and the Commission as a whole;
 - (vi) The probable contribution to public welfare; and
 - (vii) His recommendations if any, as to further action deemed appropriate.
- (g) The Commission may be free to decide :—
- (i) whether the invention should be published for free use by the public;
 - (ii) whether the inventor should be allowed to take out a patent exclusively for his own benefit or subject to such conditions as the Commission or Government may think fit;
 - (iii) whether a patent should be taken out for exploitation by the Commission.
- (h) If the Commission consider that the invention should be published for free use by the public, they will refuse permission and communicate the inventor accordingly. The inventor shall not thereafter, proceed with his application. The Commission may either themselves take such steps as they consider expedient for publishing the invention or otherwise dispose of the invention. In such a case of rejection, the Commission may also consider what *ex-gratia* payment if any, should be made to the inventor.
- (i) If the Commission considers that there is no connection between the invention and the inventor's official duties and that the inventor has not used the facilities provided at Commission's expenses, they may grant the permission without any restrictions and inform the inventor accordingly. The inventor can thereafter file a complete specification and proceed with his application at his own cost.
- It is in the opinion of the Commission, there is some connection between the invention and the inventor's official duties and the inventor has used the facilities provided at Commission's expenses and if they themselves do not desire to exploit the invention, they may grant permission to the inventor, either conditionally or unconditionally, as the Commission think fit.
- (j) If the Commission considers that the patent should be taken out for exploitation by the Commission, they will forward the application for patent to Government for the grant thereof, subject to the condition that the patent shall be assigned to the Commission and will forward one copy of the application for permission and one copy of the provisional specification to the Government with instruction to file a complete specification with the necessary assistance of the inventor to take out a patent at the cost of the Commission.
- (k) The Commission shall take their decision under clause (d) above within 8 weeks from the receipt of documents from the Member in-charge to enable the complete specification, mentioned in clauses (i) and (j) to be filed within the time prescribed by the Indian Patents and Designs Act, 1911.
- (l) All communications under these instructions shall be treated as 'confidential'. The Commission shall as soon as possible after obtaining the patent, get, the name of the Commission entered in the Register of Patents as the proprietor of the patent and will take necessary steps for exploitation of the patent.
- (m) If at any time after the grant of a patent, the Commission consider that they are not interested in the exploitation of the patent, they will return the patent to the inventor subject to :
- (i) the reservation of the right of the Commission to the use of the invention either without payment or on such terms as the Commission may consider reasonable; and
 - (ii) the condition that the inventor will not assign or deal with or grant licences to any person without obtaining the prior permission of the Commission.
- Deputation Abroad :*
18. (1) No deputation of an employee out of India shall be sanctioned without previous approval of the Commission, or the authority to whom such powers are delegated.
- (2) When an employee is, with proper sanction, temporarily deputed for duty out of India either in connection with the post held by him in India or in connection with any special duty on which he may temporarily be placed, he may be allowed by the Commission to draw, during the period of deputation, the same pay which he would have drawn had he remained on duty in India.
- Provided that an employee, who is placed on deputation while already on leave out of India on average pay, may be required by the Commission to continue to be on leave, in which case he shall be given during that period, in addition to his leave salary, an honorarium of one-sixth of the pay which he would have drawn had he remained on duty in India; the cost of passages from and to India shall be borne by him.
- Note.*—The portion of the pay which an employee may be permitted to draw in foreign currency while on deputation abroad will be determined in accordance with the orders issued by the Commission from time to time in this regard.
- (3) An employee on deputation may also be granted a compensatory allowance in a foreign country, of such amount as the Commission may think fit.
- (4) The foreign exchange equivalent of the pay, honorarium or compensatory allowance admissible under sub-regulation (2) or sub-regulation (3) shall be calculated at such rate of exchange as determined from time to time by the Central Government.
- Joining Time :*
19. (1) Joining time may be granted to an employee to enable him—
- (a) to join a new post either at the same or a new station, without availing himself of any leave on relinquishing of his old post;
 - (b) to join a new post in a new station on return from—
 - (i) leave of not more than 6 months duration;
 - (ii) leave other than that specified in sub-clause (i) when he has not had sufficient notice of his appointment to the new post.
 - (c) (i) to proceed on transfer or on the expiry of leave from a specified station to join a post

in a remote locality which is not easy of access.

- (ii) to proceed on relinquishing charge of a post, on transfer or on leave, in a place in a remote locality which is not easy of access, to a specified station.

(2) The Commission may issue general or special orders regulating the joining time admissible in each of the cases mentioned in the above sub-regulation and specify the places and stations to which clause (c) thereof shall apply.

(3) An employee on joining time shall be regarded as on duty and shall be entitled to be paid as follows :—

- (a) Where joining time is granted under clause (a) of sub-regulation (1), the pay which he would have drawn if he had continued in the old post or the pay which he will draw on taking charge of the new post, whichever is less;
- (b) Where the joining time is granted under item (i) of clause (b) of sub-regulation (1)—
- (i) if it is in continuation of leave which included a period of earned leave, pay equal to the leave salary which he last drew during such earned leave at the rate prescribed for payment of leave salary in India; and
- (ii) if it is in continuation of leave which did not include a period of earned leave, pay equal to the leave salary which the employee would have drawn under the leave rules applicable to him as if he had been on earned leave in India for the period of joining time.
- (c) Where joining time is granted under item (i) of clause (c) of regulation (1) the pay which he would draw in his post in the remote locality : Provided that
- (i) an employee on transfer shall not be entitled to any pay for the period of joining time unless his transfer is in the Commission's interest;
- (ii) no joining time pay shall be granted to an employee who has not put in a minimum service of 3 years in the Commission, when he is appointed to a new post on the result of competitive examination or interview which is open to the employees of the Commission and others. This limit of 3 years' service will not apply in the case of permanent employees of the Commission.

Note.—The competent authority ordering the transfer of an employee from one station to another can grant regular leave under leave regulation admissible to him to cover the period between the date of handing over charge at the other station and that of taking over at the new station in cases of transfer not in the interest of the Commission, if the employee applies for such leave and the authority is willing to sanction it.

(4) An employee who does not join his post within his joining time shall not be entitled to any pay or leave salary after the end of joining time.

Allowance :

20. All employees shall be eligible for the grant of allowance at such rates and subject to such conditions as the Commission may direct from time to time.

Interpretation :

21. If any doubt arises regarding the interpretation of any provision of these regulations, the matter shall be referred to the Secretary to the Commission, who shall

clarify the same in consultation with the Directorates of Administration and Finance and Accounts.

Residuary Powers :

22. Cases not covered by or requiring relaxation of these regulations shall be referred to the Commission for decision.

Repeal and Saving :

23. (1) The Oil & Natural Gas Commission (Pay, Allowances, Terms and Conditions of Appointment and Service) Regulations, 1962 are hereby repealed.

(2) Nothing in these Regulations or any repeal effected thereby shall affect or be deemed to affect anything done or any action taken under the said Regulations before commencement of these Regulations.

K. K. HAR,

Secretary to the Commission

ANNEXURE I.

SCHEDULE OF THE EXISTING SCALES OF PAY OF VARIOUS POSTS IN THE OIL & NATURAL GAS COMMISSION [c.f. Regulation 3(2)]

S. No.	Category of Post	Scale of Pay
1	2	3
1. Chief of Engineering Services 2. Chief of Geophysical Services.	}	Rs. 2000-125-2250/-
3. Director of Administration 4. General Manager 5. Director, Institute of Petroleum Exploration. 6. Director of Finance & Accounts. 7. Director of Stores & Purchase. 8. Director of Geology. 9. Director of Drilling. 10. Director of Production. 11. Director of Hindoil Design Institute. 12. Director of Inspection & Equipment. 13. Director of Mechanical Engineering. 14. Director of Geophysics.		Rs. 1800-100-2000/-
15. Chief Vigilance Officer 16. Manager (Marketing) 17. Secretary to the Commission. 18. Project Manager. 19. Chief Engineer (Civil) 20. Chief Engineer (Production) 21. Chief Geologist & Addl. Director 22. Chief Geologist. 23. Chief Geophysicist. 24. Manager (Workshop). 25. Industrial Engineer. 26. Addl. Director (I.P.E.) 27. Addl. Chief Engineer (Mech.) 28. Additional Chief Engineer (Drilling).	}	Not specified so far. Rs. 1600-100-1800- EB-100-1900/-
29. Chief Personnel Officer. 30. Industrial Relations Officer. 31. Joint Manager. 32. Joint Director (E&S). 33. Joint Director (S&P). 34. Joint Director (F&A). 35. Joint Director (IPE). 36. Superintending Geologist. 37. Joint Director (Drilling)/ Supdtg. Drilling Engineer. 38. Superintending Engineer (Prodn.)/ Joint Director (P) 39. Superintending Engineer (Civil). 40. Superintending Engineer (Mech.) 41. Superintending Chemist. 42. Superintending Geophysicist (Tech.) 43. Superintending Geophysicist. 44. Field Manager. 45. Joint Director (HODI). 46. Joint Director (Transport). 47. Joint Director (C&M). 48. Metallurgist.		Rs. 1300-60-1600/ EB-100-1800/-

1	2	3	1	2	3
49. Legal Adviser.			116. Horticulturist.		
50. Deputy Secretary.			117. Accountant.		
51. Sr. Deputy Director/Senior Deputy Manager			118. Superintendent.		
52. Senior Deputy Director (IPL)			119. Chief Store Keeper.		
53. Senior Deputy Director (Production)			120. Legal Inspector.		
54. Deputy Superintending Geologist.			121. Labour Welfare Inspector.		
55. Field Superintendent			122. Inspector Grade I (Transport)		
56. Senior Drilling Engineer			123. Assistant Driller		
57. Senior Design Engineer			124. Technical Assistant Grade I		
58. Senior Engineer			125. Foreman, Grade I		
59. Deputy Superintending Geophysicist.			126. Head Draftsman		
60. Senior Public Relations Officer			127. Head Surveyor		
61. Engineer-cum-Surveyor.			128. Instructor Grade I		
62. Senior Dy. Manager (F&A).			129. Senior High Pressure Welder.		
63. Senior Dy. Manager (C&M).			130. Chief Draftsman-cum-Artist.		
			131. Superintendent (Maps)		
			132. Assistant Liaison Officer.		
64. Senior Geologist.			133. Security Officer, Grade III.		
65. Senior Chemist.			134. Fire Officer.		
66. Senior Palynologist.			135. Drilling Assistant.		
67. Sr. Reservoir Physicist.			136. Design Draftsman.		
68. Senior Geophysicist.			137. Foreman, Grade II.		
69. Senior Scientific Officer.			138. Line Inspector.		
70. Deputy Director/Deputy Manager			139. Mud Supervisor.		
71. Personnel Officer					
72. Deputy Director (E&S)/Deputy Manager (E&S)			140. Assistant Grade I.		
73. Deputy Director (Transport)/Deputy Manager (Transport)			141. Stenographer Grade I.		
74. Deputy Director (F&A)/Deputy Manager (F&A)			142. Store Keeper, Grade I.		
75. Deputy Director (S&P)/Deputy Manager (S&P)			143. Junior Accountant.		
76. Deputy Director (Stock Verification)			144. Inspector Grade II (TPT)		
77. Assistant Industrial Relations Officer			145. Technical Assistant, Gde. II.		
78. Sr. Medical Officer.			146. Instructor, Grade II.		
79. Executive Engineer.					
80. Senior Driller.			147. Receptionist.		
81. Principal, Training School.			148. Glass Blower.		
82. Senior Survey Officer.			149. Overseer.		
83. Public Relations Officer, Grade I.			150. Operator (Photo-state) Gd. I.		
84. Deputy Manager (Marine Operations)			151. Photographer.		
			152. Senior Draftsman.		
			153. Senior Surveyor.		
			154. Sarang		
85. Junior Geologist.			155. Chargeman		
86. Junior Chemist.			156. High Pressure Welder.		
87. Junior Palynologist.			157. Supervisor (Crane/Buldozer)		
88. Junior Geophysicist.					
89. Reservoir Engineer.			158. Junior Surveyor.		
90. Scientific Officer.			159. Junior Draftsman.		
91. Mathematician.			160. Map Assistant.		
92. Geophysical Inst. Tech.			161. Senior Operator (Crane)		
93. Medical Officer.			162. Topman.		
94. Map & Drawing Officer.			163. Technician, Grade I.		
95. Survey Officer.			164. Rigman.		
96. Assistant Engineer.			165. Welder Grade II.		
97. Junior Driller.			166. Production Operator.		
98. Administrative Officer/Assistant Personnel Officer.			167. Demonstrator Training School.		
99. Assistant Transportation Officer.			168. Technician, Grade II.		
100. Labour Officer.			169. Fire Supervisor.		
101. Finance & Accounts Officer.			170. Security Officer Gde. IV.		
102. Internal Audit Officer.			171. Laboratory Assistant.		
103. Junior Economist & Statistician.			172. Dental Assistant.		
104. Junior Analyst.					
105. Public Relations Officer Gd. II.			173. Nurse.		
106. Security-cum-Fire Officer.			174. Compounder/Pharmacist.		
107. Stores & Purchase Officer					
108. Assistant Legal Adviser.			175. Heavy Truck Driver.		
109. Interpreter-cum-Translator.			176. Driver Grade I.		
110. Librarian.			177. Rigger.		
111. Cost Accounts Officer.			178. Operator (Crane)		
			179. Operator (Cementing Unit)		
			180. Forklift Operator.		
112. Private Secretary.			181. Assistant Grade II.		
			182. Store Keeper Grade II.		
113. Security Officer Grade II.			183. Stenographer Grade II.		
114. Fire Officer Grade II.			184. Accounts Assistant.		
115. Junior Engineer (Mech.)			185. Time Keeper.		

1	2	3
186. Operator (Telex)	}	Rs. 140-5-175-EB- 6-205-7-212-8-260- 10-280/-
187. Operator (Telecum)		
188. Process Engraver.		
189. Assistant Grade III.	}	*To be abolished as soon as the existing posts are vacated by the present incum- bents.
190. Stenographer Grade III.*		
191. Jun		
192. Ca		
193. Tra		
194. Ferroprinter.	}	Rs. 120-4-148-EB- 4-164-5-194-6-200/ (Special pay in case of Stenographer Gde. III Rs. 20/- p.m.) @ Starting pay in case of Caretaker Rs. 140/- p.m.
195. Slinger.		
196. Plumber.		
197. Sub-Overseer.		
98. Ganger.		
99. Mechanic.		
200. Apprentice Topman.		
201. Cementing Mechanic Junior		
202. Fireman, Grade I.	}	Rs. 120-3-132-4-140- EB-4-160-5-170/-
203. Operator (Gestetner)		
204. Security Supervisor.		
205. Truck Driver.		
206. Road Roller Driver.		
207. Painter Grade I.		
208. Senior Mason.		
209. Technician Grade III.		
210. Junior Mason.	}	Rs. 95-3-110-4-118- EB-4-150/-
211. Laboratory Attendant.		
212. Workshop Attendant.		
213. Operator (Concrete Mixer)		
214. Short Firer.		
215. Mistry.		
216. Technician Gde. IV.		
217. Sampler.	}	Rs. 90-2-50-95-3- 104-4-112-EB-4- 140/-
218. Section Cutter.		
219. Painter, Grade II.		
220. Technician Grade V.		
221. Dresser.		
222. Record Keeper.		
223. Fireman, Grade II.		
224. Jamadar.	}	Rs. 85-2-50-95-3-101- EB-3-110-4-130/-
225. Duftry.		
226. Head Mali.		
227. Hospital Attendant.		
228. Technical Attendant.		
229. Cleaner.	}	Rs. 80-2-50-95-EB- 3-110/-
230. Deckhand.		
231. Oilman Greaser.		
232. Mali.		
233. Guard.		
234. Helper.		
235. Khalasi.		
236. Attendant.		
237. Guest House Attendant.		
238. Sanitary Cleaner.		

NOTE—(1) Daftry (Scale of pay Rs. 85-130) in Map office of Geology Directorate only are paid an allowance of Rs. 5/- per month.

- (2) Assistant Gde. III, and Junior Accounts Assistant (Scale of pay Rs. 120-200) who on the basis of a test conducted by the appropriate authority in the Commission is certified to have attained a speed of 40 words per minute, are paid an allowance of Rs. 5/- per month. This allowance is paid from a date when the employee's speed is certified by the appropriate authority.
- (3) Drivers Gde. I, and Heavy Truck Drivers (scale of pay Rs. 160-240) who are employed on driving heavy vehicles moved by prime-movers and attached with low-bed trailers, or of 7 (seven) tons and above are paid an allowance of Rs. 15/- per month during the period they perform this duty.
- (4) An allowance of 10 per cent of pay is paid to the technical staff posted in the Central Workshop, Baroda. This allowance is called the 'Baroda Central Workshop Allowance'.
- (5) Drivers, Grade I (Winchman-cum-Operator), who are employed on winch operation with electrologging and bottom hole operation vehicles are paid special pay @Rs. 30/- (Rupees thirty) per month.
- (6) Drivers working in the Fire Section at various projects/offices of the Commission who have to perform dual duties of driving the Tender to the site and of operating the fire pump are paid special pay of Rs. 20/- per month.
- (7) Junior Accounts Assistants/Assistants Grade III who are entrusted with the work of operating punch machines are paid special allowance of Rs. 15/- per month subject to the following conditions :—
 - (i) not more than one Junior Accounts Assistant/Assistant Grade III, per machine will be allowed the special allowance.
 - (ii) the special allowance will be given only if the monthly output per operator is 11,000 cards.
- (8) Technical Officers and staff down to the level of Technical Assistant Grade II, posted in Institute of Petroleum Exploration, are paid Research Allowance @15% of their basic pay. This Research Allowance is treated as special pay.
- (9) Technical officers and staff down to the level of Technical Assistant Grade II, posted in Hindoil-Design Institute, are paid Design Allowance @15% of their basic pay. This Design Allowance is treated as special pay.
- (10) The Junior Accountant incharge of Cash Section and the Accounts Assistant (Cashier) are entitled to a special pay of Rs. 40/- p.m. & Rs. 25/- p.m. respectively.
- (11) The post of Director of a Directorate at the headquarters of the Commission, in the Pay scale of Rs. 1800-2000/- may be upgraded by the Commission to the post of Chief in the pay scale of Rs. 2000-2250/- on completion by the Director of 5 years service as Director, subject further to the condition that in deserving cases the competent authority would be permitted to make necessary minor relaxation in regard to the 5 year period of service as Director and when an incumbent relinquished the post of a Chief, the post would automatically stand down graded to the Director in the pay scale Rs. 1800-2000/-.